

**CITY OF WEST DES MOINES  
PLAN AND ZONING COMMISSION COMMUNICATION**

**Meeting Date:** December 19, 2016

**Item:** Fox Valley, Generally north of SE Fox Valley Drive and approximately 900' west of SE Beaverbrook Trail – Amend Comprehensive Plan Land Use Map to change approximately 13 acres from Medium Density Residential (MD) to Single Family Residential (SF) and designate the same 13 acres from Medium Density Residential (RM-12) to Single Family Residential (R-1) consistent with the Comprehensive Plan Land Use designation - Charles I. & Ruth Colby National Development Trust - CPA 003290-2016/ZC-003292-2016

**Requested Action:** Approval of Comprehensive Plan Land Use Map Amendment and Rezoning

**Case Advisor:** Brian S. Portz, AICP *BSP*

**Applicant's Request:** The applicant, Charles I. & Ruth Colby National Development Trust, is requesting approval of both a Comprehensive Plan Land Use Amendment and Rezoning for property located in the area north of SE Fox Valley Drive and approximately 900' west of SE Beaverbrook Trail. The applicant is requesting to change approximately 13 acres from Medium Density Residential (MD) to Single Family Residential (SF).

Upon changing the Comprehensive Plan Land Use designations on the property, the applicant is then requesting to designate the same 13 acres from Medium Density Residential (RM-12) to Single Family Residential (R-1) zoning consistent with the Comprehensive Plan Land Use designation.

**History:** The property was annexed into the City as a part of the Orilla Road annexation. The property has not been previously platted. This property will be plat 4 of the Fox Valley development. Homes are currently under construction within plats 1 & 2. The preliminary plat for Plat 3 to the east and southeast of Plat 4 was approved in May of 2016.

**City Council Subcommittee:** This item was presented to the Development and Planning City Council Subcommittee on November 28, 2016. Councilmembers had no comments and expressed no disagreement with the proposal.

**Staff Review and Comment:** This request was distributed to various City departments and outside agencies for their review and comment. Staff would note the following:

- **Veteran's Parkway Alignment:** The exact alignment of Veteran's Parkway directly to the north of this property has not yet been determined. The location of Veteran's Parkway and the Great Western Trail may impact the layout of the property in question. The applicant has been made aware of this and has chosen to proceed with the land use and zoning modifications.

Best practice is to avoid placement of single family residential land use along a major street corridor. The applicant has indicated that a relatively large outlot for detention may potentially be located between Veteran's Parkway and the future single family lots, thus providing good separation between the street and the future residents and enough space to accommodate some minor changes in roadway or trail alignment. Final alignment of Veterans Parkway and the Great Western Trail should be determined prior to the applicant proceeding with official platting of the property into residential lots.

**Comprehensive Plan Consistency:** The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

**Noticing Information:** On December 9, 2016, notice for the December 19, 2016, Plan and Zoning Commission and December 27, 2016, City Council Public Hearings on this project was published in the Des Moines Register. Notice

of these public hearings was also mailed to all surrounding property owners within 370 feet of the subject property on December 6, 2016.

**Staff Recommendation And Conditions Of Approval:** Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, Staff recommends the Plan and Zoning Commission adopt a resolution to approve the Comprehensive Plan Land Use Map amendment for approximately 13 acres from Medium Density Residential (MD) to Single Family Residential (SF); and approve the rezoning request to amend the Zoning Map to designate the same 13 acres from Medium Density Residential (RM-12) to Single Family Residential (R-1) zoning consistent with the Comprehensive Plan Land Use designation, subject to the applicant meeting all City Code requirements.

**Property Owner/Applicant:** Charles I. & Ruth Colby National Development Trust  
6581 University Avenue  
Windsor Heights, IA 50311  
Attn: Theresa Greenfield  
[theresa@colbyinterests.com](mailto:theresa@colbyinterests.com)

**Applicant's Representatives:** Civil Engineering Consultants  
2400 86<sup>th</sup> Street, Suite 12  
Des Moines, IA 50322  
Attn: Ed Arp  
[arp@ceclac.com](mailto:arp@ceclac.com)

**ATTACHMENTS:**

Attachment A	-	Plan and Zoning Commission Resolution – Comprehensive Plan Amendment
Attachment B	-	Plan and Zoning Commission Resolution – Rezoning
Exhibit A	-	Conditions of Approval
Attachment C	-	City Location Map
Attachment D	-	Location Map
Attachment E	-	Comprehensive Plan Map
Attachment F	-	Current Zoning Map
Attachment G	-	Comprehensive Plan Land Use Map Amendment and Rezoning Sketch

RESOLUTION NO. PZC

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE MAP FOR 13 ACRES FROM MEDIUM DENSITY RESIDENTIAL (MD) TO SINGLE FAMILY RESIDENTIAL (SF)**

**WHEREAS**, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Charles I. & Ruth Colby National Development Trust, has requested an amendment to the Comprehensive Plan Land Use Map (CPA-003290-2016) to change the land use designation from Medium Density Residential (MD) to Single Family Residential (SF) of approximately 13 acres generally located north of SE Fox Valley Drive and approximately 900' west of SE Beaverbrook Trail and within the area legally described as:

**Legal Description**

PART OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ SECTION OF 4-77-25 IN AND NOW FORMING A PART OF THE CITY OF WEST DES MOINES, WARREN COUNTY, IOWA

**WHEREAS**, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

**WHEREAS**, on December 19, 2016, this Commission held a duly-noticed hearing to consider the application for Comprehensive Plan Amendment (CPA-003290-2016);

**NOW, THEREFORE**, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The request for a change in the land use designation from Medium Density Residential (MD) to Single Family Residential (SF) for approximately 13 acres in the area north of SE Fox Valley Drive and approximately 900' west of SE Beaverbrook Trail, is recommended to the City Council for approval.

**PASSED AND ADOPTED on December 19, 2016.**

\_\_\_\_\_  
Craig Erickson, Chairperson  
Plan and Zoning Commission

ATTEST:

\_\_\_\_\_  
Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on December 19, 2016, by the following vote:

- AYES:
- NAYS:
- ABSTENTIONS:
- ABSENT:

ATTEST:

\_\_\_\_\_  
Recording Secretary

**RESOLUTION NO. PZC**

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE REZONING REQUEST (ZC-003292-2016) FOR THE PURPOSE OF CONSISTENCY ZONING APPROXIMATELY 13 ACRES OF PROPERTY LOCATED NORTH OF SE FOX VALLEY DRIVE AND APPROXIMATELY 900' WEST OF SE BEAVERBROOK TRAIL**

**WHEREAS**, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Charles I. & Ruth Colby National Development Trust, has requested approval of a Rezoning Request for that property located in the area north of SE Fox Valley Drive and approximately 900' west of SE Beaverbrook Trail to amend the Zoning Map and designate 13 acres from Medium Density Residential (RM-12) to Single Family Residential (R-1) zoning consistent with the Comprehensive Plan Land Use designation;

**WHEREAS**, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

**WHEREAS**, on December 19, 2016, this Commission held a duly-noticed hearing to consider the application for the Rezoning Request (ZC-003290-2016);

**NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:**

**SECTION 1.** The findings, for approval, in the staff report, dated December 19, 2016, or as amended orally at the Plan and Zoning Commission hearing of December 19, 2016, are adopted.

**SECTION 2.** REZONING REQUEST (ZC-003292-2016) to designate 13 acres from Medium Density Residential (RM-12) to Single Family Residential (R-1) zoning is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated December 19, 2016, including conditions added at the Hearing, and attached hereto as Exhibit "A", if any. Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

**PASSED AND ADOPTED** on December 19, 2016.

\_\_\_\_\_  
Craig Erickson, Chairperson  
Plan and Zoning Commission

ATTEST:

\_\_\_\_\_  
Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on December 19, 2016, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

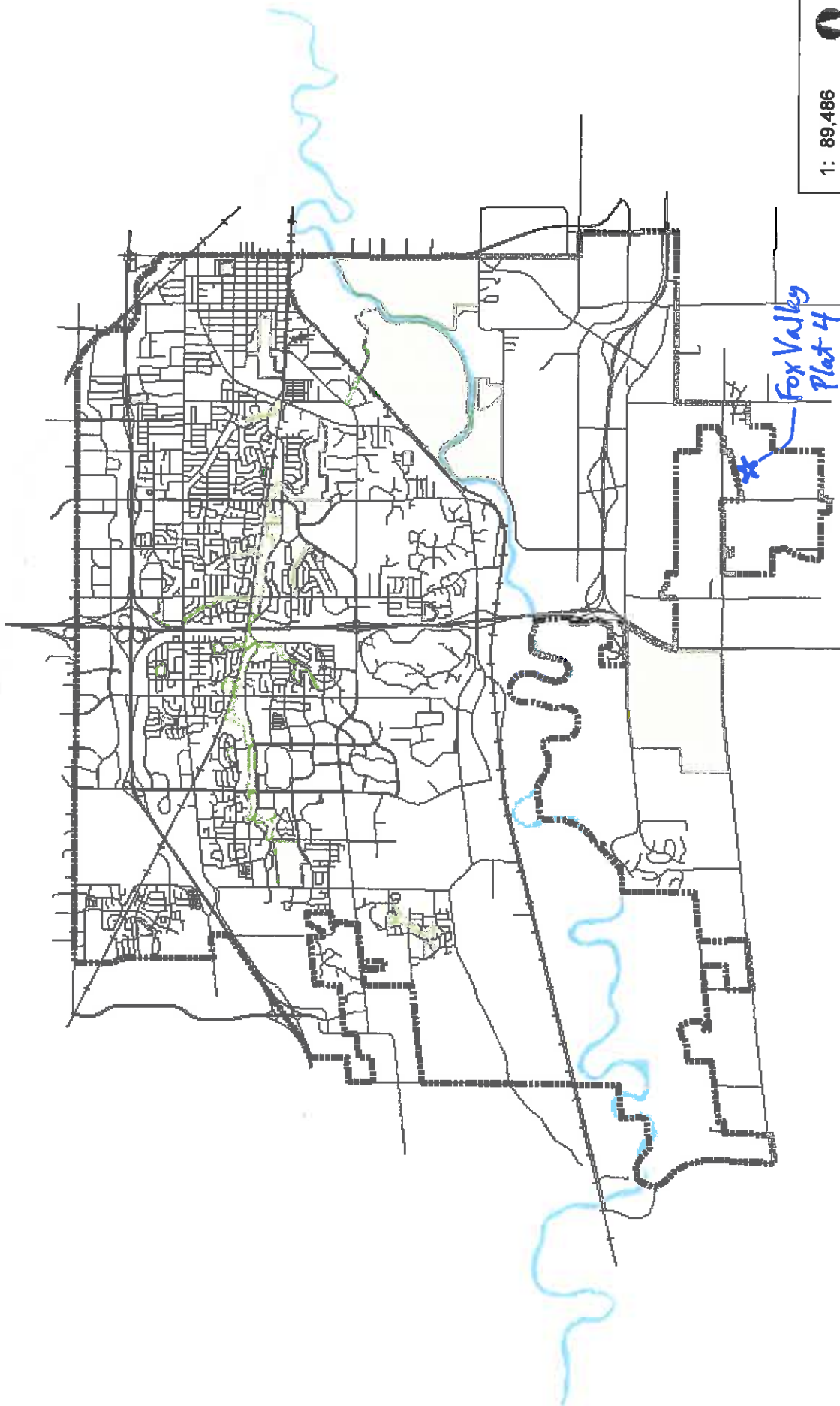
\_\_\_\_\_  
Recording Secretary

**EXHIBIT A**  
**Conditions of Approval**

**No Conditions of Approval**



# Location Map



1: 89,486



7,457.19 14,914.4 Feet

0

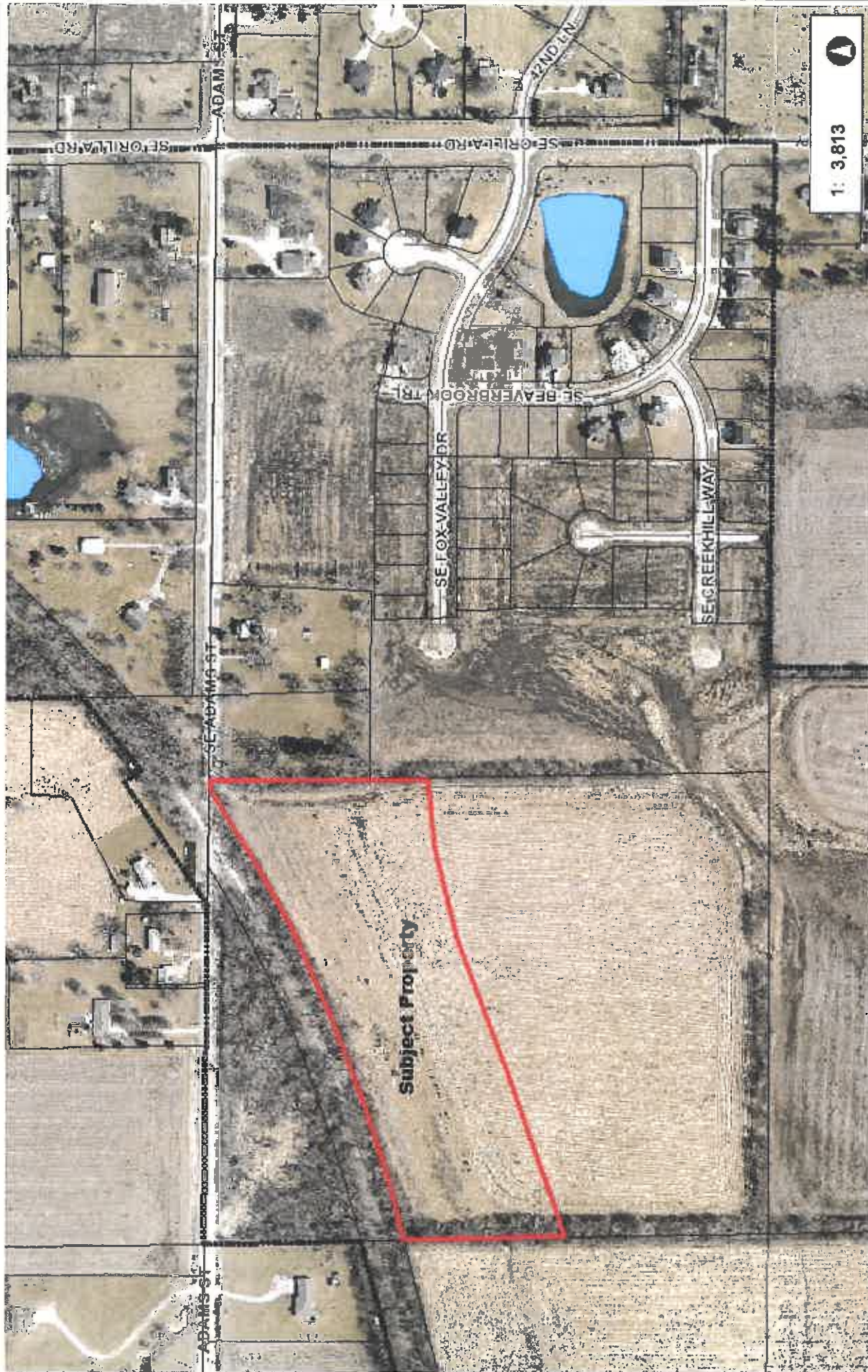
14,914.4

NAD\_1983\_StatePlane\_Iowa\_South\_FIPS\_1402\_Feet  
© City of West Des Moines, Iowa

Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

# Fox Valley Plat 4



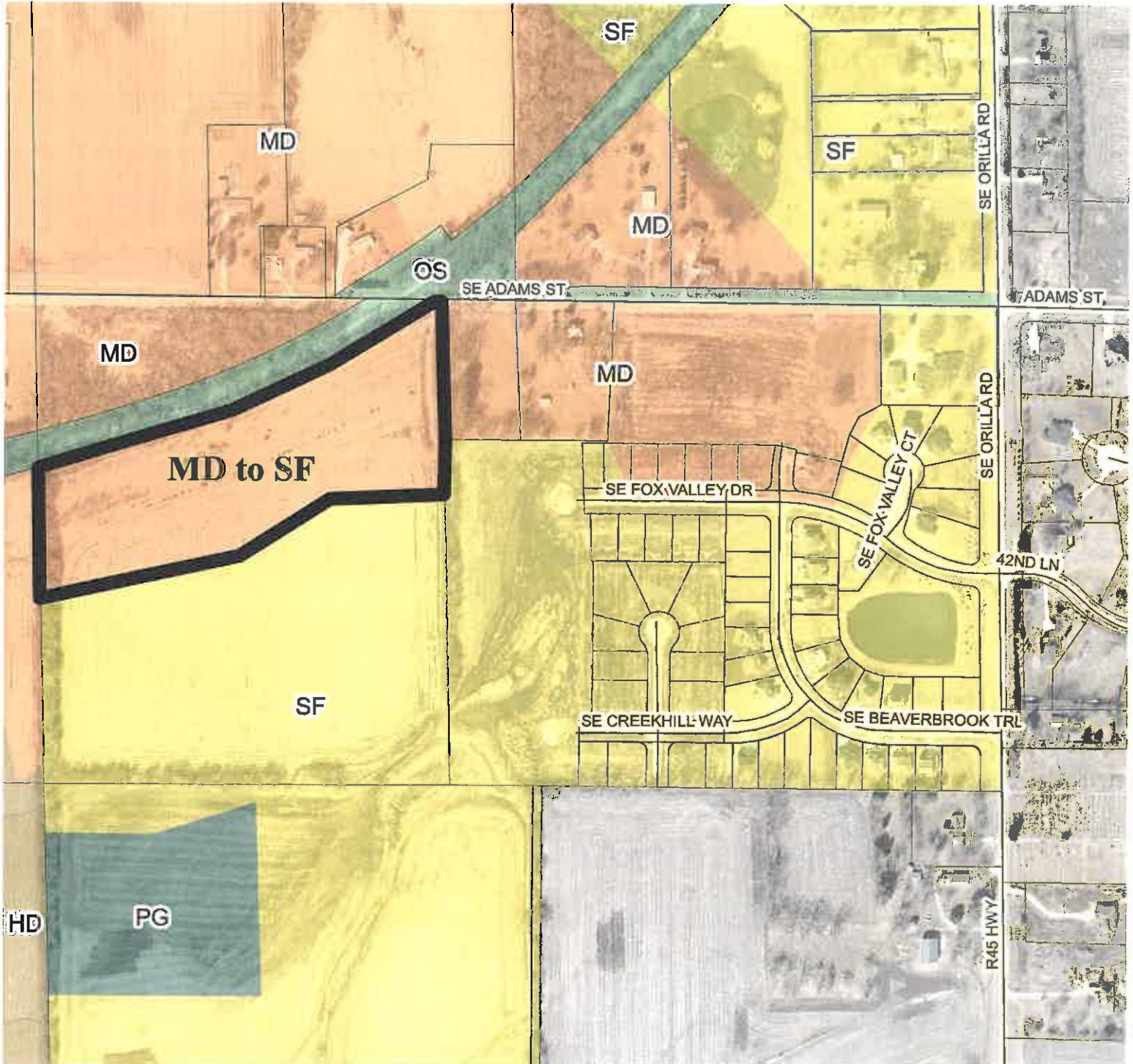
1: 3,813

635.5 0 317.74 635.5 Feet

NAD\_1983\_StatePlane\_Iowa\_South\_FIPS\_1402\_Feet  
 © City of West Des Moines, Iowa

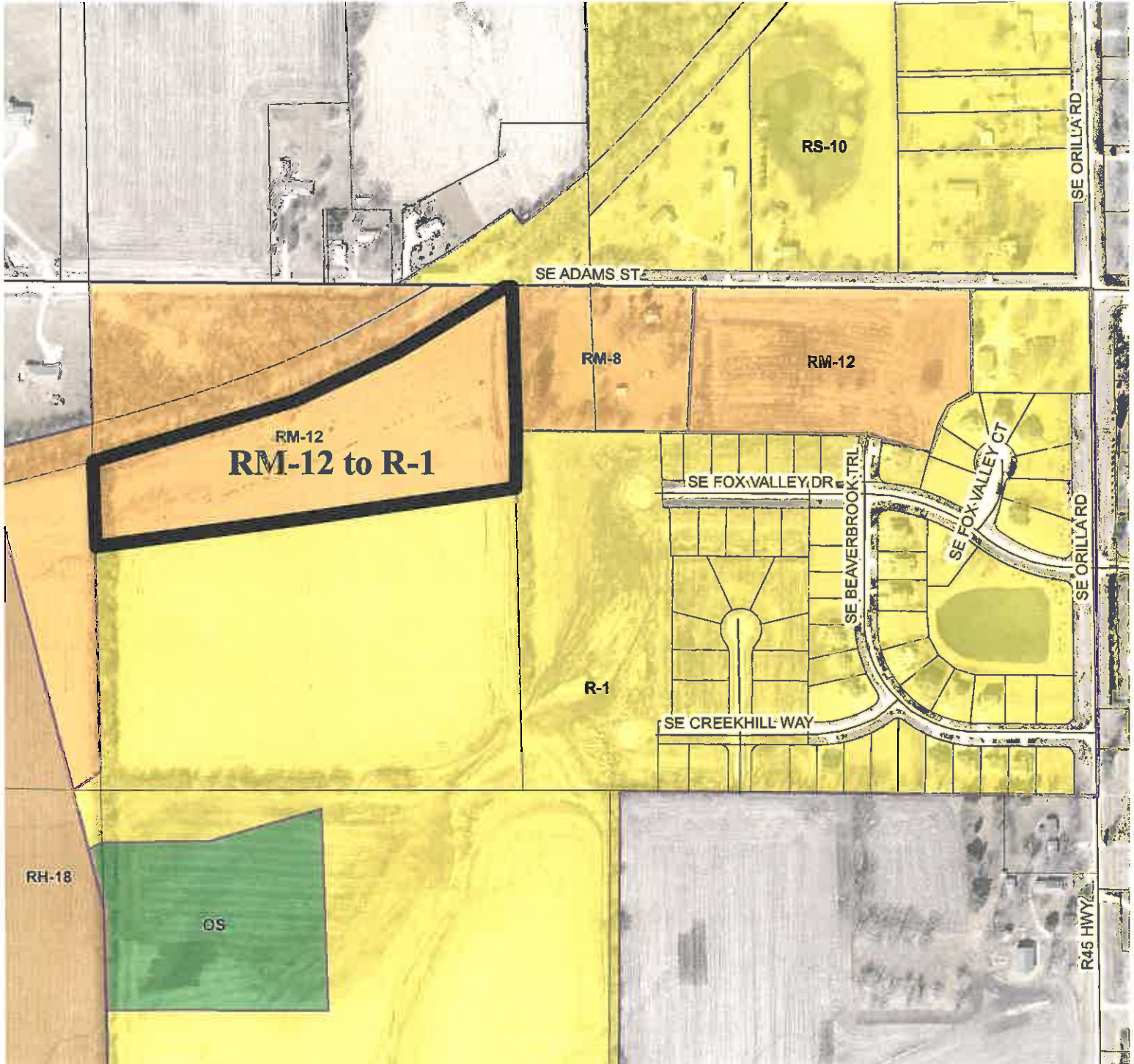
Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.  
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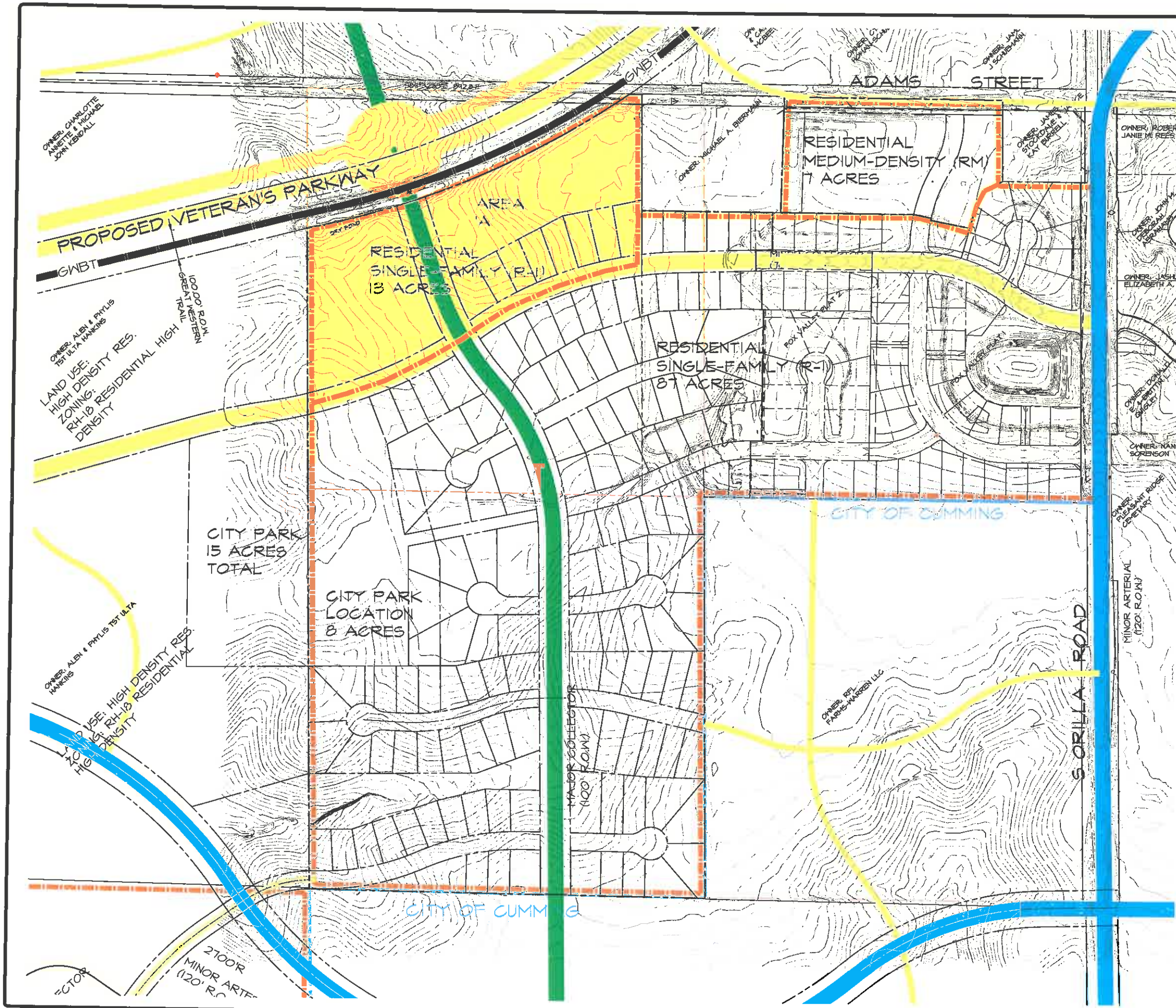
# Fox Valley Comprehensive Plan Land Use Amendment



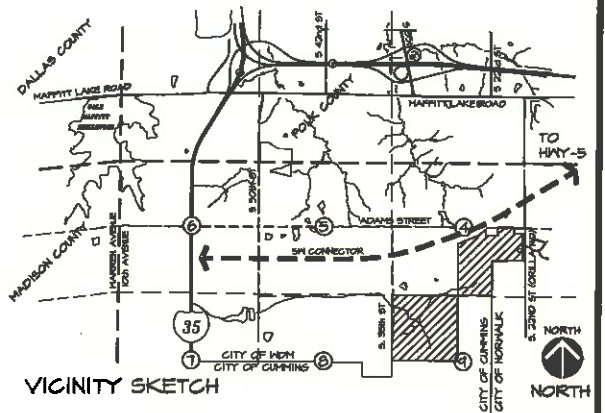


# Fox Valley Rezoning Request





**OWNER/DEVELOPER**  
 CHARLES I. COLBY & RUTH COLBY NATIONAL DEVELOPMENT TRUST  
 6501 UNIVERSITY AVE.  
 HINDSOR HEIGHTS, IOWA 50311



**COMPREHENSIVE PLAN**  
 EXISTING: MEDIUM DENSITY RESIDENTIAL (MD)  
 PROPOSED: SINGLE FAMILY RESIDENTIAL (SF)

**ZONING**  
 EXISTING: AREA A = (RM-12) RESIDENTIAL MEDIUM DENSITY / (R-1) SINGLE FAMILY RESIDENTIAL (13 ACRES)  
 PROPOSED: (R-1) SINGLE FAMILY RESIDENTIAL (87 ACRES)

**LEGAL DESCRIPTION**  
 PART OF N 1/2 SE 1/4 SECTION 4-T1-25 AND THE SW 1/4 SE 1/4 SECTION 4-T1-25 AND THE NW 1/4 SECTION 4-T1-25 AND THE NW 1/4 SECTION 9-T1-25 ALL IN AND PART OF THE CITY OF WEST DES MOINES, WARREN COUNTY, IOWA.

**BENCHMARK**  
 CITY OF WEST DES MOINES NETWORK POINT #110  
 15 REBAR ENCASED IN A 6" DIA. X 48" MINIMUM DEPTH CONCRETE CYLINDER WITH A 1-1/2" DIA. ALUMINUM CAP AFFIXED TO THE TOP OF THE REBAR.  
 CITY OF WEST DES MOINES DATUM = 1954T  
 USGS DATUM = 964.98

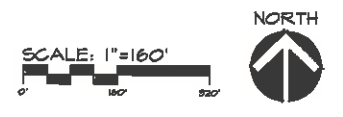
IOWA SOUTH ZONE (1402)  
 HORIZ. DATUM: NAD83/83SR2007  
 VERT. DATUM: NAVD 1988  
 US SURVEY FEET

NORTHING: 551021.64  
 EASTING: 1576943.14  
 ORTHOMETRIC HEIGHT: 964.98  
 ELLIPSOID HEIGHT: 861.195FT GEOID09  
 LATITUDE: N41°30'43.89500"  
 LONGITUDE: W83°43'54.29000"  
 MAPPING ANGLE: -0°04'10"  
 COMBINATION SCALE FACTOR: 0.999921643

**LEGEND**

	MAJOR ARTERIAL (120' R.O.W.)
	MAJOR COLLECTOR (100' R.O.W.)
	MINOR ARTERIAL (120' R.O.W.)
	MINOR COLLECTOR (100' R.O.W.)
	GREAT WESTERN BIKE TRAIL
	MASTER PLAN AREA
	CORPORATE LIMITS
	INTERSECTION NODE

**NOTES**  
 1. AREA NORTH OF ADAMS STREET WILL BE SERVED BY A FUTURE SANITARY SEWER FROM THE NORTH.  
 2. PHASING SHALL COMMENCE FROM THE NORTHEAST CORNER AND PROCEED TO THE SOUTHWEST.



**Civil Engineering Consultants, Inc**  
 2400 86th Street, Unit 12, Des Moines, Iowa 50311  
 515.276.4884 · Fax: 515.276.7084 · mail@cediac.com



DATE	REVISIONS	COMMENTS
11-08-2016	1	12-02-2016
	2	
	3	
	4	
	5	
	6	

**FOX VALLEY 2016 (2)**  
 WEST DES MOINES, IOWA  
 COMPREHENSIVE PLAN AMENDMENT/REZONING SKETCH